

APR 17 2006

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

ROBERT FIFIELD ET AL

GB020236

Serial No. 10/538,565

International Application No. PCT/IB03/05644

DISTRIBUTION OF A BROADCAST PROGRAM

Commissioner for Patents, Alexandria, VA 22313

ATTENTION: APPLICATION DIVISIONRESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371

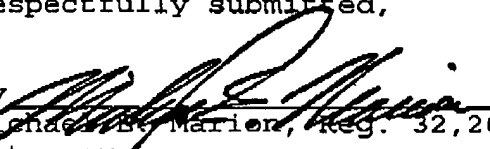
Sir:

In response to the NOTICE OF MISSING REQUIREMENTS mailed on February 16, 2006, enclosed are copies of the executed declaration, transmittal letter and return-receipt post card submitted to the USPTO upon filing of the above-identified application. As you will note from the enclosed copies, the executed declaration was submitted with the application, i.e., on June 15, 2005.

Since the executed declaration was submitted at the time of filing, Applicant believes that no fees are due. Accordingly, the above-identified patent application is now complete.

Please charge any fees due, and credit any overpayment to Deposit Account No. 14-1270.

Respectfully submitted,

By   
Michael E. Marion, Reg. 32,266  
Attorney  
(914) 333-9608

I hereby certify that this is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents,

Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office tel#: (571) 273-8300 on the date below:

Patti DeMichele



Date April 17, 2006



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address COMMISSIONER FOR PATENTS  
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www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/538,565	FIRST NAMED APPLICANT Robert FIFIELD	ATTY. DOCKET NO. GB020236
INTERNATIONAL APPLICATION NO. PCT/IB03/05644		
LA. FILING DATE 12/03/2003		PRIORITY DATE 12/17/2002
CONFIRMATION NO. 9445 371 FORMALITIES LETTER		
*OC000000016049200*		

DOCKETED	DATE	INITIAL
PROPERTY & STANDARDS COMPUTER	PC	Feb 24 2006
SECRETARY		
ATTORNEY		

24737  
PHILIPS INTELLECTUAL  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

Date Mailed: 02/16/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/15/2005
- Copy of the International Search Report filed on 08/15/2005
- Preliminary Amendments filed on 06/15/2005
- Information Disclosure Statements filed on 06/15/2005
- Oath or Declaration filed on 06/15/2005
- U.S. Basic National Fees filed on 06/15/2005
- Assignment filed on 06/15/2005
- Priority Documents filed on 06/15/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and International filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

v.k. 2 p.  
03/10/06

- \$130 Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/538,565	PCT/IB03/05644	GB020236

FORM PCT/DO/EO/905 (371 Formalities Notice)

PCT App. 1002 Rec'd PCT/PTO 15 JUN 2005

DOCKET NO. GB020236 DIV. WAXL SER. NO. \_\_\_\_\_

Distribution of a Broadcast Program

10/538565

PLEASE DATE STAMP AND RETURN TO  
ACKNOWLEDGE RECEIPT OF NOTED DOCUMENTS

GB020236, chr Auth, PDA

Application ..... <u>PCT</u> <input checked="" type="checkbox"/>	Amendment. <u>pre</u> <input checked="" type="checkbox"/>
_____ Pages of	Issue Fee ..... <input type="checkbox"/>
spec., claims & abs.	Notice of Appeal.... <input type="checkbox"/>
Con. Doc. .... <input type="checkbox"/>	Extension ..... <input type="checkbox"/>
Drawings _____ Inf. <input type="checkbox"/>	Mailing Cert. <u>exp</u> <input checked="" type="checkbox"/>
No. Sh. .... For. <input type="checkbox"/>	Assignment ..... <input type="checkbox"/>
Power of Att. .... <input checked="" type="checkbox"/>	Decl. - signed ..... <input checked="" type="checkbox"/>
MLG. Date <u>6/15/05</u>	- unsigned ... <input type="checkbox"/>

nm

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EQ/US) CONCERNING A FILING UNDER 35 U.S.C. 371</b>		<b>ATTORNEY'S DOCKET NO.</b> QB020238
		<b>U.S. Application No. (if known, see 37 CFR 1.6)</b>
<b>INTERNATIONAL APPLICATION NO.</b> PCT/B2003/005644	<b>INTERNATIONAL FILING DATE</b> 3 DECEMBER 2003	<b>PRIORITY DATE CLAIMED</b> 17 DECEMBER 2002
<b>TITLE OF INVENTION</b> DISTRIBUTION OF A BROADCAST PROGRAM		
<b>APPLICANT(S) FOR DO/EQ/US</b> Robert FIFIELD, David H. EVANS		
<p>Applicant(s) herewith submit to the United States Designated/Elected Office (DO/EQ/US) the following items and other information:</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li><input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (8), and (21) indicated below.</li> <li><input type="checkbox"/> The US has been elected (Article 31).</li> <li><input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))             <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto (required only if not transmitted by the International Bureau).</li> <li><input checked="" type="checkbox"/> has been communicated by the International Bureau.</li> <li><input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).             <ol style="list-style-type: none"> <li><input type="checkbox"/> is attached hereto.</li> <li><input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li><input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))             <ol style="list-style-type: none"> <li><input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li><input type="checkbox"/> have been communicated by the International Bureau.</li> <li><input type="checkbox"/> have not been made; however, the time limit for making such amendments has <b>NOT</b> expired.</li> <li><input checked="" type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li><input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li><input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li><input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol> <p>Items 11 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> <li><input checked="" type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</li> <li><input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li><input checked="" type="checkbox"/> A preliminary amendment.</li> <li><input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.</li> <li><input type="checkbox"/> A substitute specification.</li> <li><input type="checkbox"/> A power of attorney and/or change of address letter.</li> <li><input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.826.</li> <li><input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li><input type="checkbox"/> A second copy of the English language translation of the International application under 35 U.S.C. 154(d)(4).</li> <li><input checked="" type="checkbox"/> Other items or information: Express Mail Certificate: PTO/SB/80; Charge Authorization: Receipt Confirmation Postcard PTO/SB/88A; PTO/SB/88B; PTO/SB/86</li> </ol>		

This collection of information is required by 37 CFR 1.414 and 1.401-1.402. The information is required to obtain or retain a patent or use patent, which is to be (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. There will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES ON COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Controller for Patents, P.O. Box 1418, Alexandria, VA 22313-1450.

**CERTIFICATE OF EXPRESS MAILING**

Express Mail Mailing Label No.: EV664855499US

Date of Deposit: JUNE 15, 2005

I hereby certify that this paper and fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, Mail Stop Box PCT, P.O. Box 1450, Alexandria, VA 22313-1450.

Natalie A. Marzocco  
Name

*Natalie A. Marzocco*  
Signature